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3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
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6 **MARLIN FAJARDO MARROQUIN,**

7 Petitioner,

8 vs.

9 **JEFF SESSIONS, ET AL.,**

10 Respondents.
11

CASE NO. 18-cv-01475-YGR

ORDER TO SHOW CAUSE

Re: Dkt. Nos. 7, 8

12 Petitioner Marlin Fajardo Marroquin has filed (1) an amended petition for a writ of habeas
13 corpus pursuant to 28 U.S.C. section 2241, challenging his prolonged detention without a bond
14 hearing (Dkt. No. 7), and (2) a request that the Court issue an order directing respondents to show
15 cause why the writ should not be granted, and set a scheduling order (Dkt. No. 8). Petitioner is in
16 the custody of Immigration and Customs Enforcement as part of an ongoing removal proceeding.
17 Petitioner seeks habeas relief, arguing that he is entitled to a bond hearing pursuant to *Diouf v.*
18 *Napolitano*, 634 F.3d 1081 (9th Cir. 2011). The claims appear potentially colorable under 28
19 U.S.C. section 2241 and merit an answer from respondents. Moreover, given the allegations that
20 petitioner has been detained for over six months, an expedited response is warranted.

21 Accordingly, respondents shall **SHOW CAUSE** why petitioner's petition should not be
22 granted, if that is their position, by **June 4, 2018**. If respondents oppose the petition, petitioner
23 shall reply by **June 28, 2018**.

24 The Clerk shall **SERVE** this Order on petitioner and respondents.

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The Court **SETS** the matter for hearing on **July 10, 2018** at **2:00 p.m.**, in Courtroom 1 of the United States Courthouse located at 1301 Clay Street in Oakland, California.

IT IS SO ORDERED.

Dated: April 25, 2018


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE